

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
BURBANK IN SUPPORT OF EXTENDING PRODUCER
RESPONSIBILITY.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

- A. Approximately 110,000 tons of discarded materials and products are currently sent to disposal from our community each year.
- B. On February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective. The Universal Waste Rule banned landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, and electronic devices such as televisions, cell phones, microwave ovens, printers, and computers. It is anticipated that the list of waste products determined to be hazardous or problematic will continue to grow and will therefore be banned from landfills as demonstrated by the 2007 ban of treated wood and the 2008 Sharps ban.
- C. State policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates. The costs to manage Universal Waste and problematic products are currently borne by taxpayers and rate payers and, because of the bans these costs are increasing substantially and will continue to do so unless policy changes are made.
- D. Data from city and county annual reports show that, statewide, less than ten percent of the household hazardous waste and Universal waste generated is being collected. Local governments do not have the resources to adequately address the rising volume of discarded products. Costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal.
- F. The Council of the City of Burbank supports statewide efforts to hold producers responsible for the Universal Waste products and other product waste they create. There are significant environmental and human health impacts associated with improper management of Universal Waste, sharps, and other products.
- G. Extended Producer Responsibility (EPR) is a policy approach in which producers have cradle-to-cradle responsibility for the products they create and sell and are responsible for designing, managing and funding effective end-of-life systems for those products. EPR encourages reuse and recycling and also encourages producers to consider the health and environmental costs associated with the products they create

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and to include those costs in the product price, thereby creating an incentive to design products that are more durable, easier to repair and recycle, and are non-toxic.

H. EPR framework legislation is a holistic approach that establishes transparent and fair principles and procedures for applying EPR to categories of products and ensures a level playing field for all producers of those products. The California Product Stewardship Council (CPSC) is a non-profit organization of California local governments working to speak with one voice in advancing transparent and fair EPR systems in California.

I. On June 10, 2008, the City of Burbank adopted its Zero Waste Strategic Plan, which emphasizes the need to incentivize manufacturers to reduce the toxins in their products and design them to be reusable and recyclable. The City of Burbank wishes to incorporate EPR policies into the City's procurement practices to reduce costs and protect the environment.

J. In January 2008 the California Integrated Waste Management Board adopted a Framework for an EPR System in California. In April 2008 the California League of Cities adopted a policy statement in support of a framework approach to EPR. In July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR. In November 2009 the National League of Cities adopted a policy statement in support of a framework approach to EPR;

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The Council of the City of Burbank resolves to urge the California Legislature and Agencies to continue taking timely action to implement the Framework for an EPR System adopted by the California Integrated Waste Management Board in 2008 to manage problematic products, and to urge the Department of Toxic Substances Control to implement EPR under the Green Chemistry initiative to manage Universal and other toxic products.

2. The Council of the City of Burbank further urges the California Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle.

3. The Public Works Director of the City of Burbank is authorized to advocate for support of EPR product or framework legislation and related regulations.

4. The Mayor of the City of Burbank is authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support.

5. The City of Burbank encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be recycled; using recycled materials

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in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials.

6. The City of Burbank and its member agencies resolve to develop producer responsibility policies such as leasing products rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products and the end of their useful life.

PASSED and ADOPTED this ____ day of _____, 2010.